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Attorneys for Defendants, **LOS ANGELES POLICE DEPARTMENT, JOSEPH DUNSTER, JAMES FILLMORE, LAMONT JERRETT, JERRY PADILLA, DAVID TORRES, SARITA WILLIAMS, SILVINA YNIGUEZ, and RUTH YU**

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA - SOUTHERN DIVISION

JANE DOE,

Plaintiff,

vs.

THE CITY OF LOS ANGELES; THE
LOS ANGELES POLICE
DEPARTMENT; JAMES FILLMORE
AND DOES 1-10 INCLUSIVE,

Defendants.

CASE NO. CV 07-1403-VAP(RNB)

Hon. Virginia A. Phillips Courtroom 2 (Riverside)
Hon. Robert N. Block, Courtroom 6D (Santa Ana)

Consolidated (for discovery only) with:
CV 08-00237 VAP (RNB)

**DEFENDANTS' REPLY IN SUPPORT
OF MOTION FOR CIVIL CONTEMPT
ORDER AND IMPOSITION OF
ADDITIONAL MONETARY
SANCTIONS IN THE AMOUNT OF
\$2,700.00 AGAINST PLAINTIFF JANE
DOE; DECLARATION OF SUREKHA
A. PESSIS**

DATE: May 10, 2010
TIME: 2:00 p.m.
ROOM: 2 (Riverside)

DISCOVERY
CUT-OFF: February 1, 2010
P.T.C. & TRIAL: None Set

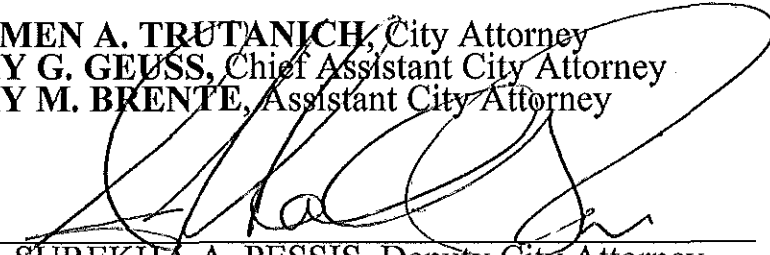
TO THE HONORABLE COURT AND TO PLAINTIFF (*IN PRO SE*):

Defendants **LOS ANGELES POLICE DEPARTMENT, JOSEPH DUNSTER, JAMES FILLMORE, LAMONT JERRETT, JERRY PADILLA, DAVID TORRES, SARITA WILLIAMS, SILVINA YNIGUEZ, and RUTH YU** hereby

1 submit this Reply in support of the Motion For Civil Contempt Order and Imposition of
2 Additional Monetary Sanctions in the Amount of \$2,700.00 Against Plaintiff Jane Doe.

3
4 DATED: April 23, 2010

CARMEN A. TRUTANICH, City Attorney
GARY G. GEUSS, Chief Assistant City Attorney
CORY M. BRENT, Assistant City Attorney

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7 By 
8 SUREKHA A. PESSIS, Deputy City Attorney
Attorneys for Defendants, LOS ANGELES POLICE
9 DEPARTMENT, et al.
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MEMORANDUM OF POINTS AND AUTHORITIES

I.

INTRODUCTION

Defendants have filed a Motion for a Civil Contempt Order ("Motion") as a result of Plaintiff's failure to pay the monetary sanctions ordered by Judge Block on January 14, 2010. Sanctions in the amount of \$500.00 were imposed as a result of Plaintiff's failure to comply with Judge Block's order of August 25, 2009 in relation the deposition of Defendant Sarita Williams. Plaintiff has not filed an Opposition to the Motion which is currently scheduled for hearing on May 10, 2010.

II.

PLAINTIFF'S OPPOSITION WAS DUE ON APRIL 19, 2010

Pursuant to Local Rule 7-9, the Plaintiff's Opposition was due on April 19, 2010. However, Defendants have not been served with any such papers. Defendants reserve the right to object to the service of an untimely Opposition. For the reasons stated in the moving papers, the Motion should be granted in its entirety.

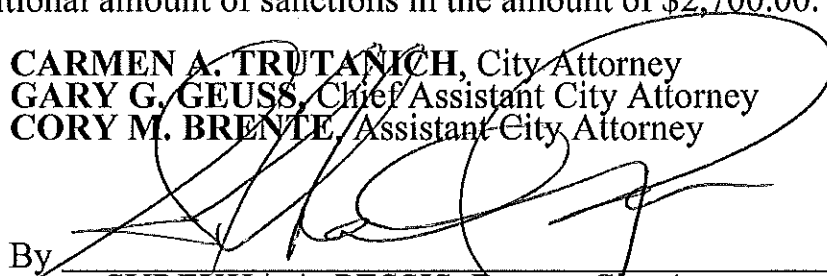
III.

CONCLUSION

Based on the foregoing, this Court should issue an order finding Plaintiff in contempt of Judge Block's order of January 14, 2010 and order Plaintiff to pay the sanctions, in addition to an additional amount of sanctions in the amount of \$2,700.00.

DATED: April 23, 2010

CARMEN A. TRUTANICH, City Attorney
GARY G. GEUSS, Chief Assistant City Attorney
CORY M. BRENT, Assistant City Attorney

By 
SUREKHA A. PESSIS, Deputy City Attorney
Attorneys for Defendants, LOS ANGELES POLICE
DEPARTMENT, et al.

DECLARATION OF SUREKHA A. PESSIS

I, SUREKHA A. PESSIS, declare as follows:

1. I am an attorney at law duly admitted to practice before all courts of the State of California and before this Court. I am a Deputy City Attorney at the Office of the City Attorney for the City of Los Angeles, Attorneys of Record for the Defendants in the matters of *Jane Doe v. The Los Angeles Police Department*, United States District Court Case No. CV 07-01403 VAP(RNB) and *Christian Curry v. The Los Angeles Police Department, et al.*, United States District Court Case No. CV 08-00237 VAP(RNB). Except upon those matters stated upon information and belief, I have personal knowledge of the facts set forth in this declaration and, if called as a witness, I could and would testify competently thereto.

2. I am unaware of any Opposition having been filed in this matter. Further, I have not been served with an Opposition to the pending motion.

3. Defendants will file and serve an objection to the Notice to Cross-Examine Defense counsel which has been served in this matter.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed on this 23rd day of April 2010, in Los Angeles, California.


SUREKHA PESSIS, Declarant

PROOF OF SERVICE

I, KATHERINE FINAN, declare as follows:

At the time of service I was over 18 years of age and not a party to this action. My business address is 200 N. Main Street, 6th Floor, City Hall East, Los Angeles, California 90012, which is in the County, City and State where this service occurred.

On April 23, 2010, I served the document(s) described as:

**DEFENDANTS' REPLY IN SUPPORT OF MOTION FOR CIVIL
CONTEMPT ORDER AND IMPOSITION OF ADDITIONAL MONETARY
SANCTIONS IN THE AMOUNT OF \$2,700.00 AGAINST PLAINTIFF JANE
DOE; DECLARATION OF SUREKHA A. PESSIS**

on all interested parties in this action:

NEW ADDRESS AS OF 2/10/10

JANE DOE
Investeye Recon Ops, LLC
12400 Ventura Blvd., Ste. 402
Studio City, CA 91604
Email: janeandlamont@yahoo.com
Plaintiff in *Pro Se*

I served a true copy of the document(s) above by:

☒ By electronic service. Based on a court order or an agreement of the parties to accept service by electronic transmission, I caused the documents to be sent to the persons at the electronic notification addresses listed above. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

Executed on April 23, 2010 at Los Angeles, California.

☒ I hereby certify that I am employed in the office of a member of the Bar of this Court at whose direction the service was made.

☒ I hereby certify under the penalty of perjury that the foregoing is true and correct.


KATHERINE FINAN